

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-002527-003 DT

06/13/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT
L. Olague
Deputy

STATE OF ARIZONA

VANESSA MARIE LOSICCO

v.

STEPHEN PAUL LACY (003)

JON MARTINEZ

STATUS CONFERENCE/ORAL ARGUMENT

2:02 p.m.

Courtroom SCT 7A

State's Attorney:	Vanessa Losicco
Defendant's Attorney:	Jon Martinez
Defendant:	Presence Waived

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

LET THE RECORD REFLECT co-defendants, Adam Barfield (002), Cary Dean Barfield (001), and Robert McLaughlin (004), are represented by counsel. Separate minute entries will issue as to each co-defendant.

This is the time set for Status Conference/Oral Argument on State's Trial Memorandum Re: Admission of co-conspirator Statements Pursuant to Rule 801 (D)(2) filed 03/31/2016.

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The Court summarizes the status of the proceedings.

Defendant's Adam Barfield's (002) Motion in Limine to Exclude Any Reference to His Incarceration filed 05/29/2016 is argued to the Court.

IT IS ORDERED taking the Defendant's Adam Barfield's (002) Motion in Limine to Exclude Any Reference to His Incarceration under advisement.

Discussion is held regarding the State's Trial Memorandum Re: Admission of Co-Conspirator Statements and Defendant Stephen Lacy's Trial Memorandum Re: Admission of Co-Defendant's Statements and Defendant Adam Barfield's Joinder in Defendant (Stephen Lacy's) Trial Memorandum Re: Admission of Co-Defendant's Statements and Memorandum of Supplemental Authority.

3:06 p.m. Court stands at recess.

3:29 p.m. Court reconvenes with respective Counsel and Defendant present.

Court Reporter, Jovanna Roman, is present.

The proceedings are also digitally recorded.

Argument continues.

Discussion is held regarding redacting the statements from the prison calls that the State seeks to offer at Trial.

IT IS ORDERED the State shall redact the following statements:

- 1) references to Defendant Steven Lacy (003) being incarcerated;
- 2) the statements in Smoger/21 dated 12/06/2016 to remove description of Mr. McLaughlin identified in quotes in the Defendant's objections contained in the Chart submitted to the Court;
- 3) discussion about possible future plans that appear in Adams/26 dated 12/03/2009, (including gym, camera/website);
- 4) any reference to anyone being a "meth monster" in Peckhart/45 dated 08/30/2010.

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Discussion is held regarding the Court's remaining under advisement ruling regarding Co-Conspirator statements.

The Court advises Defense counsel to review the Court's ruling regarding Defendant Cary Barfield's (001) interview.

Upon Court's own Motion and the parties having no objection,

IT IS ORDERED resetting the Trial from 08/08/2016 at 1:30 p.m. to **08/11/2016 at 10:30 a.m.** before this Court.

IT IS FURTHER ORDERED setting Final Trial Management Conference on **08/08/2016 at 8:30 a.m.** before this Court.

NEW LAST DAY: 9/05/2016.

IT IS ORDERED affirming prior release orders.

4:30 p.m. Matter concludes.

LATER:

The above references to Smoger/21, Adams/26 , and Peckhart/45 refer to the title of the supplement in which each statement is found. The State provided the Court with a binder of transcripts reflecting prison calls and each call has a corresponding identifier. See Arizona Department of Corrections Calls Redaction Chart filed 06/24/2016 for a complete description of all supplements.